

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

FILED - CLERK
DISTRICT COURT
04 MAR 23 PM 4:19
TEXAS - EASTERN
BY _____

UNITED STATES OF AMERICA

§
§
§
§
§

VS.

6:03cr93

JUDGE DAVIS

TIMOTHY J. BEVERLEY

ADDENDUM TO PLEA AGREEMENT

As part of the written plea agreement entered into between the parties in this cause, the United States and the Defendant have entered into this addendum addressing the appropriate restitution in this case. The parties agree as follows:

1. In paragraph 3 of the Plea Agreement in this case, the Defendant stated that he "understands that pursuant to Title 18, United States Code, Sections 3663, 3663A and 3664, restitution may be ordered by the Court." In paragraph 5 of the Plea Agreement in this case, the "parties agree that pursuant to U.S.S.G. § 2S1.2 (utilizing the United States Sentencing Commission Guidelines Manual effective November 1, 2000) the value of the funds involved in the offense conduct was more than \$10,000,000.00, but less than \$20,000,000.00."

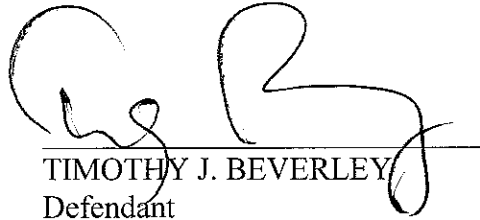
2. The parties now agree that restitution in this case is not limited to the offense of conviction, Count 24 of the Indictment. The parties agree that the Court may order restitution in this case based on all of the offense conduct described in the Indictment. However, the parties agree that said restitution is limited to the value of the funds involved in the offense conduct which was more than \$10,000,000.00, but less than \$20,000,000.00.

3. The Defendant, Defendant's attorney, and the United States Attorney for the Eastern District of Texas, acknowledge and confirm that this Addendum to Plea Agreement is the only additional agreement or promise to the Plea Agreement made between the parties in this case. The Defendant and Defendant's attorney agree that this agreement is being entered into freely, voluntarily, and upon advice of counsel.

ACKNOWLEDGMENTS:

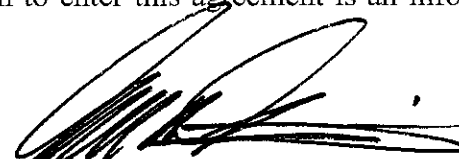
I have read this agreement and have carefully reviewed every part of it with my counsel. I fully understand it, and I voluntarily agree to it.

Date


TIMOTHY J. BEVERLEY
Defendant


I am the Defendant's counsel. I have carefully reviewed every part of this agreement with the Defendant. To my knowledge, my client's decision to enter this agreement is an informed and voluntary one.

3/22/04
Date


GERALD H. GOLDSTEIN
Counsel for Defendant

For the United States of America:

23 March 2004
Date


GREGG A. MARCHESSAULT
Assistant U.S. Attorney